IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 18th day of June 2005
Criminal Misc. Bail Application No.528/2005
Order on the bail application of accused

CRIMINAL SIDE

Deepak Bisht
S/o Shri Prem Singh Bisht
R/o 3 village Dudhli
P.S. Mussoorie
District Dehradun ……Applicant

Versus

State of Uttaranchal …….Opposite Party

Arising out of case crime No.10 of 2005
U/s 376, 506 I.P.C. & 3(1) XI S.C. & S.T. Act
P.S. Mussoorie
District - Dehradun

Hon'ble J. C. S. Rawat, J.

Heard Sri Sandeep Tandon counsel for the applicant and learned A.G.A. for the State.

Perused the record. According to the prosecution version, on 21.4.2005 the applicant has committed the rape upon the 14 years old victim. The version of the prosecution has been supported by the statements recorded under section 161 & 164 Cr.P.C. It has been alleged that the age of the victim is between 14-15 years. According to the radiologist report, the age of the victim is between 12 to 16 years. However, the margin of two years can be there. Considering the facts and circumstances of the case, I am of view that it is not a fit case for bail.

Therefore, the bail application is hereby rejected.

(J. C. S. Rawat, J.)

Dated 18.06.2005

LSR